

## **Rule Making Process**

There are four major elements in the rule-making process:

- CR-101 - Pre-proposal Notice
- CR-102 - Proposal
- Public Hearing
- CR-103 - Adoption

### **CR-101 - Pre-proposal Notice**

The CR-101 is the first form that must be filed with the Office of the Code Reviser in the Rule-making process. A CR-101 or "Preproposal Statement of Inquiry" serves as public notice that the Board is considering rule-making on a particular subject, and to tell constituents how they can participate in the process. The Code Reviser's staff stamps the CR-101 with the date/time it was filed and a unique Washington State Register (WSR) number, and publishes it in the WSR. The CR-101 must be published in the WSR at least 30 days before the CR-102 can be filed.

### **CR-102 – Proposal**

The CR-102 or "Proposed Rule Making" form is filed with the Office of the Code Reviser along with the proposed rules. Among other things, the CR-102 gives the date, time and location of the public rules hearing, and provides the address and deadline for submitting comments. The CR-102 and the proposed rules are published in the WSR, and are sent to interested parties or anyone who requested a copy in response to the CR-101. The CR-102 must be published in the WSR at least 20 days before the Public Hearing.

### **Public Hearing**

A hearing provides an opportunity for the public to testify on the proposed rule(s), and is legislative in character and be reasonably conducted by the presiding official to afford interested persons the opportunity to present comment. A public hearing could be held in conjunction with a LEOFF Plan 2 Retirement Board Meeting.

### **File CR-103 – Adoption**

The CR-103 or "Rule-Making Order" form is the last form filed with the Office of the Code Reviser along with the final rules. The CR-103 and the final rules are published in the WSR. The CR-103 includes the date the agency adopts the rule; a concise statement of the purpose of the rule; a reference to all rules repealed, amended, or suspended by the rule; A reference to the specific statutory or other authority authorizing adoption of the rule; Any findings required by any provision of law as a precondition to adoption or effectiveness of the rule; and the effective date of the rule. The rule will become effective on the 31st day after filing unless a later date is specified on the CR-103.

Example Rule-Making Timeline<sup>1</sup>:

**CR-101**

File Before	Dec 22, 04	Feb 2, 05
Published in WSR	Jan 5, 05	Feb 16, 05
Earliest CR-102 Filing	Feb 4, 05	Mar 18, 05

**CR-102<sup>2</sup>**

File Before	Feb 16, 05	Mar 23, 05
Published in WSR	Mar 2, 05	Apr 6, 05

**Public Hearing<sup>3</sup>**

Held no earlier than	Mar 22, 05 <sup>4</sup>	Apr 26, 05 <sup>5</sup>
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**CR-103**

Filed	Mar 31, 05	May 1, 05
Rule Effective <sup>6</sup>	May 1, 05	Jun 1, 05

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<sup>1</sup> Based on 2004-2005 Preproposal Filing Schedule and Base Calendar from Officer of the Code Reviser

<sup>2</sup> CR-102 cannot be filed until 30 days after the CR-101 is published in WSR.

<sup>3</sup> A public hearing can not be conducted until 20 days after the CR-102 is published in the WSR

<sup>4</sup> Could be held at Board Meeting on 3/23/05.

<sup>5</sup> Could be held at Board Meeting on 4/27/05.

<sup>6</sup> The rule will become effective on the 31st day after filing unless a later date is specified on the CR-103.